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Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

CAROLYN CLARK on behalf of the ESTATE
OF TROY BURKINSHAW and on behalf of
the HEIRS OF TROY BURKINSHAW

Plaintiffs,

v.

BOX ELDER COUNTY, J. LYNN YEATES;
and AUSTIN BOWCUTT,

Defendant.

NOTICE OF APPEAL

Case No. 1:13-cv-00079-CW

Judge Clark Waddoups

Defendants, by and through the undersigned counsel, pursuant to Rules 3(a), 3(c), and 4 of the *Federal Rules of Appellate Procedure*, hereby respectfully appeal to the United States Court of Appeals for the Tenth Circuit from the District Court's denial of qualified immunity to Defendant Austin Bowcutt as set forth in the Court's Memorandum Decision and Order Denying Defendant's Motion for Summary Judgment, docket entry 90, entered on December 3, 2014.

DATED this 30th day of December, 2014.

STIRBA, P.C.

/s/ Kathleen Abke
PETER STIRBA
KATHLEEN ABKE
Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of December, 2014, a true copy of the foregoing **NOTICE OF APPEAL** was served by the method indicated below, to the following:

James W. McConkie
Bradley H. Parker
W. Alexander Evans
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/s/ Zachary B. Hoddy
Legal Assistant